

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2:15cr115

COLLIE RASHAD SANKS,

Defendant.

ORDER

This matter comes before the court on the Defendant's Motion for Compassionate Release, filed on June 15, 2020. ECF No. 48. In the Motion, the Defendant requests that his sentence be reduced because of the spread of the novel Coronavirus ("COVID-19"). As an attachment to the Motion, the Defendant filed a communication he sent the warden on April 13, 2020, requesting compassionate release. Mot., Ex. G. He also filed a response from the warden indicating the warden received the request. Id., Ex. H. According to the Defendant, the warden never acted on his request for compassionate release. Id. at 13.

Thus, it appears that more than thirty (30) days have lapsed since the warden received his request for compassionate release. It therefore seems that the Defendant has complied with the requirement that he exhaust his administrative remedies before pursuing a motion for compassionate release in this court. See 18 U.S.C. § 3582(c)(1)(A).

Accordingly, the Government is **DIRECTED** to file a response to the Defendant's Motion within thirty (30) days of the entry of this Order. The Government's response shall address whether the Defendant has exhausted his administrative remedies and whether the Government opposes the Defendant's Motion. If the Government opposes the Motion, the response shall state the reasons for the opposition and include all available documents in support of the opposition, including those of the Bureau of Prisons ("BOP") relating to any request by the Defendant for compassionate release and any response thereto by the BOP. The Defendant may file a reply within fifteen (15) days of the date on which the Government files its response.

The Clerk is **DIRECTED** to forward a copy of this Order to the Defendant, the United States Attorney at Norfolk, and the BOP.

IT IS SO ORDERED.

/s/ *RBS*
Rebecca Beach Smith
Senior United States District Judge

REBECCA BEACH SMITH
SENIOR UNITED STATES DISTRICT JUDGE

June 19, 2020